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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 ERNEST DEAN CARPENTER,

10 Petitioner,

11 vs.

12 D. W. NEVEN, et al.,

13 Respondents.  
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Case No. 2:11-CV-00867-PMP-(CWH)


**ORDER**

15 Petitioner has submitted a motion for reconsideration (#23). It appears that in his amended  
16 declaration (#20) petitioner asked the court to stay this action while he returned to state court. The  
17 court will grant petitioner's motion.

18 IT IS THEREFORE ORDERED that petitioner's motion for reconsideration (#23) is  
19 **GRANTED**. The order (#21) and judgment (#22) dismissing this action are **VACATED**.

20 IT IS FURTHER ORDERED that, pursuant to LR 7-2, respondents shall have fourteen (14)  
21 days from the date of entry of this order to file and serve a response to petitioner's request for a stay  
22 in his declaration (#19) and amended declaration (#20). Petitioner shall have seven (7) days from  
23 the date of service of the response to file a reply.

24 DATED: February 10, 2012  
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27 PHILIP M. PRO  
28 United States District Judge